

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 02-12489-RWZ
CIVIL ACTION NO. 05-10079-RWZ

GLOBAL NAPS, INC.

v.

VERIZON NEW ENGLAND, INC.

ORDER

January 2, 2018

ZOBEL, S.D.J.

In order to resolve the Receiver's Motion to Approve Settlement, the court allowed the parties to conduct limited discovery concerning whether intervenor Hollywood Canada Films, Ltd. paid \$250,000.00 to Ferrous Miner Holdings, Ltd. in consideration of the latter's transfer of the property located at 18 Sequoya Lane, Hanover, MA, to Amy Justice and Michael Marciello, and whether Hollywood Canada held a note by the purchasers in that amount. On December 20, 2017, Hollywood Canada stated that it is unable to produce any documents evidencing any payment of consideration to Ferrous Miner Holdings, Ltd. nor the putative note. Accordingly, I find that the Mortgage, naming Hollywood Canada Films, Ltd. as Mortgagee and the Justices as Mortgagors, recorded at the Plymouth County Registry of Deeds at Book 33098, pages 4–10 on July 28, 2006, as Document No. 84780, is the property of the Receivership Estate.

I further find that Carl F. Jenkins, duly appointed Receiver:

- i. Had and has full authority to execute a certain Settlement Agreement dated September 7, 2017, with Amy Justice and Michael Patrick Marciello;
- ii. Has full authority and power to execute and deliver to Amy Justice and Michael Patrick Marciello, in recordable form, a discharge of Mortgage with reference to the above Mortgage, in the form substantially similar to the form attached to the subject Settlement Agreement as Exhibit A and acceptable to lender's title insurer;
- iii. Has full authority and power to take all steps reasonably necessary and to execute any and all documents, which will accomplish and effectuate the purposes of the approved above-referenced Settlement Agreement.

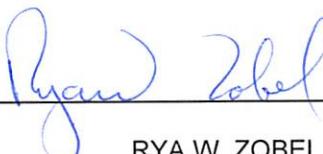
The Receiver's Motion to Approve Settlement Agreement and for Authority to Execute Discharge of Mortgage (Docket # 1326) is hereby ALLOWED.

The Receiver is ordered to file with the court a *Last and Final Accounting* simultaneously with his motion seeking his discharge as Receiver. The *Last and Final Accounting* shall be a supplement to the Receiver's Interim and Final Accounting and shall account for the activities of the Receiver from and after December 1, 2015.

SO ORDERED.

January 2, 2018

DATE



RYA W. ZOBEL
SENIOR UNITED STATES DISTRICT JUDGE